

## Article - Health - General

[\[Previous\]](#)[\[Next\]](#)

§7.5–402.

(a) Regulations adopted under this subtitle shall include:

(1) The requirements for licensure of a behavioral health program, including a requirement that the behavioral health program establish and implement a safety plan for the safety of the individuals served by the behavioral health program;

(2) The process for a behavioral health program to apply for a license;

(3) A description of the behavioral health programs that are required to be licensed;

(4) Any requirements for the governance of a behavioral health program, including:

(i) A provision prohibiting a conflict of interest between the interests of the provider and those of the individual receiving services;

(ii) A provision authorizing a behavioral health program licensed as an outpatient mental health center to satisfy any regulatory requirement that the medical director be on site through the use of telehealth by the director; and

(iii) A provision authorizing a psychiatric nurse practitioner to serve as a medical director of an outpatient mental health center accredited in accordance with COMAR 10.63.03.05, including through telehealth;

(5) Provisions for inspections of a behavioral health program, including inspection and copying of the records of a behavioral health program in accordance with State and federal law; and

(6) Provisions for denials, sanctions, suspensions, and revocations of licenses, including imposition of civil monetary penalties, and notice and an opportunity to be heard.

(b) (1) The Secretary may require a behavioral health program to be granted accreditation by an accreditation organization approved by the Secretary under Title 19, Subtitle 23 of this article as a condition of licensure under regulations adopted under this subtitle.

(2) By becoming licensed in accordance with paragraph (1) of this subsection, a program agrees to comply with all applicable standards of the accreditation organization.

(3) If a behavioral health program is required to be granted accreditation as a condition of licensure under paragraph (1) of this subsection and the accreditation organization requires the behavioral health program to adopt a community relations plan, the behavioral health program shall submit the community relations plan to the Administration.

(c) Regulations adopted under this subtitle may include provisions setting reasonable fees for applying for a license and for the issuance and renewal of licenses.

(d) The Administration may authorize a behavioral health program to satisfy the safety plan requirement under subsection (a)(1) of this section by implementing a safety plan established for the behavioral health program for another purpose.

[\[Previous\]](#)[\[Next\]](#)